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**TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**Docket Number (Optional):
7052-01-CCIn re Application of: Soyd et al.Application No.: 10/726,462Filed: November 24, 2003Re: DENTRIFICS CONTAINING FUNCTIONAL FILM FLAKES

The owner, COLGATE PALMOLIVE COMPANY, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,888,829 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate:

- 1 ☐ For submissions on behalf of a business organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made as information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

- 2 ☒ The undersigned is an attorney or agent of record. Reg. No. 42,931

Kristine A. Bullock
Signature

6/20/07
Date

Kristine A. Bullock
Typed or printed name

732-576-0002
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.301a) included

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*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/09 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a patent by the owner when it is the owner or the USPTO to process an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is designed to take 12 minutes to complete, including gathering, reviewing, and submitting the complete application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete the form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1460, Alexandria, VA 22304-1460. DO NOT SEND FEE OR COMPLETED FORMS TO THE ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22304-1460.